

Vinson & Elkins
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January 2, 2003

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VINSON & ELKINS L.L.P.
2300 FIRST CITY TOWER
1001 FANNIN STREET
HOUSTON, TEXAS 77002-6760
TELEPHONE (713) 758-2222
FAX (713) 758-2346
www.velaw.com

Michael J. Smith
Direct Dial 512/542-8530
Direct Fax 512/236-3330
mjsmith@velaw.com

CERTIFICATE OF MAILING

I, certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the U.S. Patent and Trademark Office, P. O. Box 2327, Arlington, VA 22202 on the date below.

January 2, 2003

Date

Michael J. Smith

U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Re: U.S. Patent Application Serial No. 10/031,947 entitled "Multidose Erythropoietin Formulations" by Atef Gayed (Atty. Docket No. MAR618/75000/4-005(A)US)

Sir:

Enclosed for filing in the above-referenced patent application is:

1. An Information Disclosure Statement;
2. PTO Form 1449;
3. Copies of references A1-A2, B1-B2, and C1; and
4. A return postcard to acknowledge receipt of these documents. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from VINSON & ELKINS L.L.P. Deposit Account No. 22-0365/MAR618/4-005(A)US/75000.

Respectfully submitted,

Michael J. Smith
Reg. No. 51,381

102061:3058

Enclosures

cc: Joseph L. Kirk (w/o encls.)
Robin Inman (w/o encls.)
Marya Breig, Docket Specialist (w/o encls.)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:
Atef Gayed

Serial No.: 10/031,947

Filed: May 15, 2002

For: MULTI-DOSE ERYTHROPOIETIN
FORMULATIONS

Group Art Unit: 1646

Examiner: Unknown

Atty. Dkt. No.: MAR618/4-005(A)US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

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January 2, 2003

Date

Michael J. Smith

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Sir:


In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents (References A1-A2, B1-B2, and C1) required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Note that copies of References of D1-D8 are not enclosed as they were previously provided in U.S. Serial No. 60/198,216 on October 14, 1999.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Vinson & Elkins L.L.P. Deposit Account No. 22-0365/MAR618/4-005(A)US/75000.

Respectfully submitted,

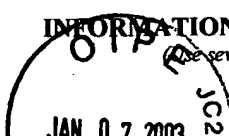
A handwritten signature in black ink, appearing to read 'MJS', is written over the typed name of Michael J. Smith.

Michael J. Smith
Reg. No. 51,381
Attorney for Applicant

Vinson & Elkins L.L.P.
2300 First City Tower
1001 Fannin Street
Houston, Texas 77002-6760
512/542-8530

Date: January 2, 2003

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INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> 	Docket Number (Optional)		Application Number
	MAR618/4-005(A)US		10/031,947
	Applicant(s)		
	Atef Gayed		
Filing Date		Group Art Unit	
May 15, 2002		1646	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	5,045,529	09/03/91	Chiang	514	6	
	A2	5,503,827	04/02/96	Woog, et al.	424	85.1	

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International Documents

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
B1	0 199 992	11/05/86	EP	37	02		
B2	0 459 795	05/30/91	EP	37	02		

C1	Durieux, Marcel E., M.D., "Synergistic Inhibition of Muscarinic Signaling by Ketamine Stereoisomers and the Preservative Benzethonium Chloride," <i>Anesthesiology</i> 86:1326-33 (1997).						

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION <small>(Use several sheets if necessary)</small>		Docket Number (Optional)		Application Number	
		MAR618/4-005(A)US		10/031,947	
		Applicant(s) Atef Gayed			
		Filing Date		Group Art Unit	
		May 15, 2002		1646	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	D1	4,377,573		Sugimoto, et al.			
	D2	4,703,008		Lin			
	D3	4,806,524		Kawaguchi, et al.			
	D4	5,503,827		Woog, et al.			
	D5	5,661,125		Strickland, et al.			

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
D6	Miyake, et al., "Purification of Human Erythropoietin," <i>J. Biol. Chem.</i> , 252(15):5558-67 (1997).
D7	Sherwood, et al., "Erythropoietin Production by Human Renal Carcinoma Cells in Culture," <i>Endocrinology</i> , 99(2):504-10 (1976).
D8	Sherwood, et al., "Establishment of a Human Erythropoietin-Producing Renal Carcinoma Cell Line," <i>Clinical Research</i> , 31:323A (1983).

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.